THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

W.P.No.22577 of 2005

BETWEEN:

A.Nagi reddy .. Petitioner

And

The District Collector, Anantapur and others

.. Respondents

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THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

W.P.No.22577 of 2005

ORDER:

The grievance of the petitioner is that though he does not own any house or electrical connection, his nomination to the Gandlapenta Primary Agricultural Cooperative Society is rejected by the second respondent (Election Officer) on the ground that he is in arrears to the Kadiri East Rural Electrical Cooperative Society.

The contention of the learned counsel for the petitioner is that when the petitioner does not own any house and has no electrical connection, as disclosed from the certificate issued by the Assistant Divisional Engineer (Operation), filed as a material paper with the writ petition at page 17 Order of rejection of the nomination of the petitioner, on the ground that he has dues to the Kadiri East Rural Electrical Cooperative Society is wholly illegal and unsustainable.

Since rejection or acceptance of nomination is an intermediary stage of an election process, and since this Court would not, normally, interfere with the election process since the aggrieved party has an effective and efficacious alternative remedy of election petition, as held by this Court in **V.NARAYANA V. ELECTION OFFICER, MUNICIPAL COMMISSIONER, ALWAL MUNICIPALITY, R.R.DISTRICT AND ANOTHER , GUTTAKONDA KANAKA DURGA v STATE ELECTION COMMISSIONER, GOVT. OF ANDHRA PRADESH AND OTHERS** and the apex Court in **C.SUBRAHMANYAM v K.RAMANJANEYULU AND OTHERS,** this petition filed under Article 226 of the Constitution rejecting the nomination of the petitioner is not maintainable.

Therefore, the writ petition is dismissed. No costs.

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19-10-2005

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